



Supreme Court of California
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NEWS RELEASE

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FOR IMMEDIATE RELEASE

October 20, 2017

Summary of Cases Accepted and Related Actions During Week of October 16, 2017

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The statement of the issue or issues in each case set out below does not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#17-299 *People v. Gallardo*, S243953. (B254090; nonpublished opinion; Los Angeles County Superior Court; TA120456.) Petition for review after the Court of Appeal conditionally reversed and remanded a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Mendoza*, S241647 (#17-208), which presents the following issue: Are the provisions of Proposition 57 that eliminated the direct filing of certain juvenile cases in adult court applicable to cases not yet final on appeal?

#17-300 *People v. Guizar*, S244224. (H042370; nonpublished opinion; Santa Clara County Superior Court; C1367023, C1371225, F1450335, 1450336.) Petition for review after the Court of Appeal affirmed judgments of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Ruiz*, S235556 (#16-312), which presents the following issue: May a trial court properly impose a criminal laboratory analysis fee (Health & Saf. Code, § 11372.5, subd. (a)) and a drug program fee (Health & Saf. Code, § 11372.7, subd. (a)) based on a defendant's conviction for conspiracy to commit certain drug offenses?

#17-301 *In re K.B.*, S244301. (A149813; nonpublished opinion; Napa County Superior Court; JV18248.) Petition for review after the Court of Appeal modified and affirmed orders in a juvenile wardship proceeding. The court ordered briefing deferred pending decision in *In re Ricardo P.*, S230923 (#16-41), which presents the following issue: Did the trial court err imposing an "electronics search condition" on minor as a condition of his probation when it had no relationship to the crimes he committed but was justified on appeal as reasonably related to future criminality under *People v. Olguin* (2008) 45 Cal.4th 375 because it would facilitate his supervision?

#17-302 *People v. Turner*, S243600. (A138649; nonpublished opinion; Alameda County Superior Court; 169011.) Petition for review after the Court of Appeal affirmed a judgment of conviction of criminal offenses. The court ordered briefing deferred pending decision in *People v. Canizales*, S221958 (#14-134), which whether a jury properly instructed on the “kill zone” theory of attempted murder, and *People v. Mendoza*, S241647 (#17-208), which concerns whether the provisions of Proposition 57 that eliminated the direct filing of certain juvenile cases in adult court are applicable to cases not yet final on appeal.

DISPOSITIONS

Review in the following case was dismissed as moot (see Sen. Bill No. 725 (2017-2018 Reg. Sess.) Stats. 2017, ch. 179; Pen. Code § 1001.80, subd. (1)):

#16-397 <i>Hopkins v. Superior Court</i> , S237734	(B270503; 2 Cal.App.5th 1275; Los Angeles County Superior Court; BS160423)
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Review in the following cases was dismissed in light of *Mountain Air Enterprises, LLC v. Sundowner Towers, LLC* (2017) 3 Cal.5th 744:

#16-422 <i>LTL Commercial, LLC v. Hammer IRP TLT Associates, LLC</i> , S237689	(B262176, B263715; nonpublished opinion; Los Angeles County Superior Court; BC500790)
#17-297 <i>Hussein v. Driver</i> , S240506	(A144786; nonpublished opinion; San Francisco County Superior Court; CGC08483062)

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The Supreme Court of California is the state's highest court and its decisions are binding on all other California state courts. The court's primary role is to decide matters of statewide importance and to maintain uniformity in the law throughout California by reviewing matters from the six districts of the California Courts of Appeal and the fifty-eight county superior courts (the trial courts). Among its other duties, the court also decides all capital appeals and related matters and reviews both attorney and judicial disciplinary matters.